

### **REMARKS/ARGUMENTS**

1. Amendments to the Claims.

Claims 1-5 remain in this application. Claims 6-20 have been added to the present application, support for which may be found in FIGS. 5-7. Claim 1 has been amended to clarify the features of the claimed invention. Support for the amendment may be found in FIG. 6. The amendments made herein contain no new matter.

2. Rejections to the Claims Under 35 U.S.C. §102.

Claims 1-5 were rejected under 35 U.S.C. §102 as anticipated by U.S. Patent No. 4,172,423 to Monne.

Claims 1-20, as amended, call for a trolley having, among other things, a body, four wheel assemblies mounted to the body and engageable and moveable within an overhead track, and at least two auxiliary wheels constructed to said body and engageable within the overhead track.

In contrast, Monne discloses a load-carrying vehicle having four rolling wheels 4, which roll within track 7, and two frustoconical rollers, which are engaged beneath the track rails 7. See Monne, Column 4, lines 17-31 and FIGS. 2 and 3. Monne does not disclose, teach or suggest a trolley having at least two auxiliary wheels engageable and moveable within the track. Accordingly, Monne does not disclose all of the limitations in claims 1-20. For this reason, Monne does not anticipate claims 1-20, as amended, and Applicant respectfully requests the withdrawal of this rejection.

3. Rejections to the Claims Under 35 U.S.C. §103.

Claims 1-5 were rejected under 35 U.S.C. §103 as being an unpatentable obvious design choice in view of the prior art illustrated in FIGS. 1-4 of the present application.

According to the Office Action, it was an obvious design choice to form the wheels of a dimension smaller than that of the four trolley wheels because a change in size is generally recognized as being within the level of ordinary skill in the art. The Office Action further asserts that "applicant does not state that a smaller dimension in the auxiliary solves any relevant problem or is for a particular purpose, the admitted prior art operates equally as well." See Office Action of Oct. 5, 2004, pg. 3. Applicant respectfully disagrees.

The specification of the present application expressly discusses the purposes of, advantage of and problems solved by the smaller-dimensioned auxiliary wheels. For instance, "some panel systems include switching assemblies such as that described in U.S. Patent Application Serial No. 09/706,041. In these systems the addition of full-sized wheels can interfere with the switching assemblies." See paragraph [006]. In contrast, "unlike the prior 6-

wheel and 8-wheel trolley systems, the smaller size of the guide wheels relative to the wheel assemblies are beneficial because the guide wheels do not interfere with the switch assemblies." See paragraph [0036]. Thus, the admitted prior art does not operate equally as well as the present invention. Rather, the prior art addresses the problem of negotiating intersections while creating a new problem of interfering with switches.

In addition, the admitted prior art also created additional problems; "[t]his system has created a new set of problems, namely an increase in manufacturing costs and a significant increase in trolley width. The increase in trolley width further results in an increase in the stacking depth and the amount of storage space required." See paragraph [006]. In contrast, "[u]nlike prior art trolley 100 of Fig. 1B, which uses auxiliary wheels 101 that are the same size as main wheels 102, the trolley of the present invention uses smaller auxiliary wheels which ultimately conserves even more stacking space.

For these reasons, the size of the auxiliary wheels embodies more than a simple design change. Unlike the larger wheels of the prior art, the smaller auxiliary wheels properly negotiate track intersections, while avoiding any interference with the switches. In addition, the smaller dimensioned wheels conserve stacking space and facilitate stacking of the panels. Thus, claims 1-20 are not anticipated or rendered obvious by the prior art, and Applicant respectfully requests that the rejections be withdrawn.


### CONCLUSION

Applicant respectfully requests that action toward a Notice of Allowance be taken.

Applicant has submitted a check in the amount of \$100 to cover the fees due in connection with this submission. Applicant believes that no fees in excess of this amount are due in connection with this submission. However, if any fees are necessary, please charge Deposit Account No. 02-0390, Baker & Daniels.

Respectfully Submitted,

By:



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